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S T A T U T E S

RELATIVE TO THE

S E W E R S,

WITHIN

W E S T M I N S T E R,

AND PART OF

M I D D L E S E X.

L O N D O N:

PRINTED IN THE YEAR 1776.





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TWENTY-THIRD

H E N R Y VIII.

C H A P. V.

The Bill of Sewers.

‘  UR Sovereign Lord the King, like a virtuous and most gracious Prince, nothing earthly so highly weighing, as the advancing of the common Profit, Wealth, and Commodity of this his Realm, considering the daily great Damages and Losses which have happened in many and divers Parts of this his said Realm, as well by the Reason of the outrageous Flowings, Surges and Course of the Sea, in and upon Marsh-Grounds and

How far the Commission of Sewers shall extend.
Lath. 170, 171.
4 Inst. 275.
6 H. 6. c. 5.
8 H. 6. c. 3.
4 H. 7. c. 1.
6 H. 8. c. 10.

A 2 other

‘ other low Places, heretofore,
 ‘ through politic Wisdom won and
 ‘ made profitable, for the great com-
 ‘ mon Wealth of this Realm; as
 ‘ also by occasion of Land-Waters,
 ‘ and other outrageous Springs,
 ‘ in and upon Meadows, Pastures,
 ‘ and other low Grounds, adjoining
 ‘ to Rivers, Floods and other
 ‘ Water-Courses : (²) And over that,
 ‘ by and thro’ Mills, Mil-dams,
 ‘ Wears, Fish-garths, Kedels, Gores,
 ‘ Gotes, Flood-gates, Locks and
 ‘ other Impediments, in and upon
 ‘ the same Rivers and other Wa-
 ‘ ter-courses, to the inestimable Da-
 ‘ mages of the common Wealth of
 ‘ this Realm, which daily is likely
 ‘ more and more to increase, unless
 ‘ speedy Redress and Remedy be in
 ‘ this Behalf shortly provided : (³)
 ‘ Wherein albeit that divers and
 ‘ many Provisions have been before
 ‘ this Time made and ordained, yet
 ‘ none of them are sufficient Remedy
 ‘ for Reformation of the Premises,
 Hath therefore, by deliberate Advice
 and Assent of his Lords Spiritual and
 Temporal,

Temporal, and also his loving Commons, in this present Parliament assembled, **ordained, established, and enacted,** That Commissions of Sewers, and other the Premises, shall be directed in all Parts within this Realm, from time to time, where and when Need shall require, according to the Manner, Form, Tenor and Effect hereafter ensuing, to such substantial and indifferent Persons as shall be named by the Lord Chancellor and Lord Treasurer of *England*, and the Two Chief Justices, for the Time being, or by Three of them, whereof the Lord Chancellor to be One.

II. ‘ HENRY the Eighth, &c. The Form of the Commission of Sewers.
 ‘ **Know ye,** That forasmuch as the
 ‘ Walls, Ditches, Banks, Gutters,
 ‘ Sewers, Gotes, Calcies, Bridges,
 ‘ Streams, and other Defences, by
 ‘ the Coasts of the Sea and Marsh-
 ‘ grounds, lying and being within
 ‘ the Limits of *A. B. or C.* in the
 ‘ County or Counties of
 ‘ or in the Borders or
 A 3 Confines

The several
Causes of
awarding the
Commission of
Sewers.

‘ Confines of the same, by Rage of
 ‘ the Sea flowing and re flowing,
 ‘ and by Mean of the Trenches of
 ‘ fresh Waters descending, and hav-
 ‘ ing Course by divers Ways to the
 ‘ Sea, be so dirupt, lacerate and
 ‘ broken; (²) and also the common
 ‘ Passages for Ships, Balengers and
 ‘ Boats, in the Rivers, Streams and
 ‘ other Floods, within the Limits of
 ‘ *A. B. or C.* in the County or
 ‘ Counties of
 ‘ or in the Borders or Confines of
 ‘ the same, by Mean of setting up,
 ‘ erecting and making of Streams,
 ‘ Mills, Bridges, Ponds, Fish-garths,
 ‘ Mil-dams, Locks, Hebbing-wears,
 ‘ Hecks and Flood-gates, or other
 ‘ like Lets, Impediments or Annoy-
 ‘ ances, be letted and interrupted,
 ‘ so that great and inestimable Da-
 ‘ mage for Default of Reparation
 ‘ of the said Walls, Ditches, Banks,
 ‘ Fences, Sewers, Gotes, Gutters,
 ‘ Calcies, Bridges, and Streams; (³)
 ‘ and also by Mean of setting up,
 ‘ erecting, making and enlarging of
 ‘ the said Fish-garths, Mil-dams,
 Locks,

‘ Locks, Hebbing-wears, Hecks,
 ‘ Flood-gates, and other like Annoy-
 ‘ ances, in Time past, hath hap-
 ‘ pened, and yet is to be feared, that
 ‘ far greater Hurt, Loss and Da-
 ‘ mage, is like to ensue, unless that
 ‘ speedy Remedy be provided in
 ‘ that Behalf.

III. ‘ **We therefore,** for that by What Things
the Commit-
tioners of
Sewers are
authorized to
do.
13 Co. 36.
 ‘ Reason of our Dignity and Prero-
 ‘ gative Royal, we be bound to pro-
 ‘ vide for the Safety and Preserva-
 ‘ tion of our Realm of *England*,
 ‘ willing that speedy Remedy be had
 ‘ in the Premises, have assigned you
 ‘ and Six of you, of the which we
 ‘ will that *A. B. and C.* shall be
 ‘ Three, to be our Justices, to sur-
 ‘ vey the said Walls, Streams,
 ‘ Ditches, Banks, Gutters, Sewers,
 ‘ Gotes, Calcies, Bridges, Trenches,
 ‘ Mills, Mil-dams, Flood-gates,
 ‘ Ponds, Locks, Hebbing - wears,
 ‘ and other Impediments, Lets and
 ‘ Annoyances aforesaid, and the
 ‘ same cause to be made, corrected,
 ‘ repaired, amended, put down or
 A 4 reformed,

Inquiry by
whose Defaults
the Annoyances
come.

reformed, as Case shall require, af-
ter your Wisdoms and Discretions;
(²) and therein as well to ordain
and do, after the Form, Tenor,
and Effect, of all and singular the
Statutes and Ordinances, made be-
fore the First Day of *March*, in the
Three and Twentieth Year of our
Reign, touching the Premises or
any of them, as also to inquire by
the Oaths of the honest and lawful
Men of the said Shire or Shires,
Place or Places, where such De-
faults or Annoyances be, as well
within the Liberties as without (by
whom the Truth may the rather
be known) through whose Default
the said Hurts and Damages have
happened, and who hath or holdeth
any Lands or Tenements, or Com-
mon of Pasture, or Profit of Fish-
ing, or hath, or may have any
Hurt, Loss, or Disadvantage, by
any Manner of Means, in the said
Places, as well near to the said
Dangers, Lets and Impediments,
as inhabiting or dwelling there-
abouts, by the said Walls, Ditches,
Banks,

‘ Banks, Gutters, Gotes, Sewers, Assessing the
 ‘ Trenches, and other the said Im- Person to be
 ‘ pediments and Annoyances ⁽³⁾; contributory to
 ‘ and all those Persons, and every the Charge.
 ‘ of them, to tax, assess, charge, 10. Co. 139.
 ‘ distrain and punish, as well within ^{141.}
 ‘ the Metes, Limits, and Bounds of 2. Bulstr. 199.
 ‘ old Time accustomed, or other- Cro. Jac. 336.
 ‘ wise, or elsewhere within our Realm
 ‘ of *England*, after the Quantity of
 ‘ their Lands, Tenements and Rents,
 ‘ by the Number of Acres and Per-
 ‘ ches, after the Rate of every Per-
 ‘ son’s Portion, Tenure or Profit, or
 ‘ after the Quantity of their Com-
 ‘ mon of Pasture, or Profit of Fish-
 ‘ ing, or other Commodities there,
 ‘ by such Ways and Means, and in
 ‘ such Manner and Form as to you,
 ‘ or Six of you, whereof the said *A.*
 ‘ *B.* and *C.* to be Three, shall seem
 ‘ most convenient to be ordained and
 ‘ done for Redress and Reformation
 ‘ to be had in the Premises; ⁽⁴⁾
 ‘ and also to reform, repair, and
 ‘ amend the said Walls, Ditches,
 ‘ Banks, Gutters, Sewers, Gotes,
 ‘ Calcies, Bridges, Streams, and
 other

Appointing of
Bailiffs, Col-
lectors, Sur-
veyors, and
other interior
Officers.

‘ other the Premises, in all Places
 ‘ needful; and the same as often,
 ‘ and where need shall be, to make
 ‘ new, and to cleanse and purge the
 ‘ Trenches, Sewers and Ditches, in
 ‘ all Places necessary; (^s) and further
 ‘ to reform, amend, prostrate, and
 ‘ overthrow all such Mills, Streams,
 ‘ Ponds, Locks, Fish-garths, Heb-
 ‘ bing-wears, and other Impedi-
 ‘ ments and Annoyances aforesaid,
 ‘ as shall be found by Inquisition,
 ‘ or by your Surveying and Discre-
 ‘ tions to be excessive or hurtful;
 ‘ (⁶ and also to depute and assign
 ‘ diligent, faithful, and true Keep-
 ‘ ers, Bailiffs, Surveyors, Collectors,
 ‘ Expenditors, and other Ministers,
 ‘ and Officers, for the Safety,
 ‘ Conservation, Reparation, Refor-
 ‘ mation, and making of the Pre-
 ‘ mises, and every of them, and to
 ‘ hear the Accompt of the Collec-
 ‘ tors and other Ministers, of and
 ‘ for the Receipt and laying out of
 ‘ the Money that shall be levyed and
 ‘ paid in and about the making, re-
 ‘ forming, repairing, and amending
 the

‘ the said Walls, Ditches, Banks,
 ‘ Gutters, Gotes, Sewers, Calcies,
 ‘ Bridges, Streams, Trenches, Mills,
 ‘ Ponds, Locks, Fish garths, Flood-
 ‘ gates, and other Impediments and
 ‘ Annoyances afore said; (7) and to Distraint for
 ‘ distraint for the Arrearages of every the Arrearages
 ‘ such Collection, Tax and Asses, of the Money
 ‘ as often as shall be expedient, or assessed.
 ‘ otherwise to punish the Debtors
 ‘ and Detainers of the same, by
 ‘ Fines, Amerciaments, Pains, or
 ‘ other like Means after your good
 ‘ Discretions; (8) and also to arrest Taking of La-
 ‘ and take as many Carts, Horses, bourers, Work-
 ‘ Oxen, Beasts, and other Instru- men and Car-
 ‘ inents necessary, and as many riages, Timber
 ‘ Workmen and Labourers, as for and other Ne-
 ‘ the said Works and Reparations cessaries.
 ‘ shall suffice, paying for the same
 ‘ competent Wages, Salary and Sti-
 ‘ pend in that Behalf; (9) and also
 ‘ take such and as many Trees,
 ‘ Woods, Under woods, and Tim-
 ‘ ber, and other Necessaries, as for
 ‘ the same Works and Reparations
 ‘ shall be sufficient, at a reasonable
 ‘ Price by you, or Six of you, of
 the

To make Sta-
tutes and Ordi-
nances.

‘ the which we will that *A. B.* and
 ‘ *C.* shall be Three, to be assessed
 ‘ or limited as well within the Li-
 ‘ mits and Bounds aforesaid, as in
 ‘ any other Place within the said
 ‘ County or Counties, near unto
 ‘ the said Places; (¹⁰) and to make
 ‘ and ordaine Statutes, Ordinances
 ‘ and Provisions, from time to
 ‘ time, as the Case shall require for
 ‘ the Safeguard, Conservation, Re-
 ‘ dress, Correction and Reformation
 ‘ of the Premises, and of every of
 ‘ them, and the Parts lying to the
 ‘ same necessary and behooful, after
 ‘ the Laws and Customs of *Rumney-*
 ‘ *Marsh*, in the County of *Kent*, or
 ‘ otherwise by any Ways or Means
 ‘ after your own Wisdoms and
 ‘ Discretions; (¹¹) and to hear and
 ‘ determine all and singular the Pre-
 ‘ mises, as well at our Suit as at the
 ‘ Suit of any other whatsoever, com-
 ‘ plaining before you, or Six of you,
 ‘ whereof *A. B.* and *C.* shall be
 ‘ Three, after the Laws and Cus-
 ‘ toms aforesaid, or otherwise by
 ‘ any other Ways and Means,
 ‘ after

‘ after your Discretions (¹²); and
 ‘ also to make and direct all
 ‘ Writs, Precepts, Warrants, or
 ‘ other Commandments, by virtue
 ‘ of these Presents, to all Sheriffs,
 ‘ Bailiffs, and all other Mini-
 ‘ sters, Officers, and other Persons,
 ‘ as well within Liberties as with-
 ‘ out, before you, or Six of you,
 ‘ whereof the said *A. B. and C.* to
 ‘ be Three, at certain Days, Terms
 ‘ and Places, to be prefixed, to be
 ‘ returned and received (¹³); and fur-
 ‘ ther to continue the Proceſs of the
 ‘ ſame, and finally to do all and every
 ‘ Thing and Things as ſhall be re-
 ‘ quiſite for the due Execution of
 ‘ the Premises, by all Ways and
 ‘ Means after your Discretions (¹⁴);
 ‘ and therefore we command you,
 ‘ That at certain Days and Places,
 ‘ when, and where ye, or Six of you,
 ‘ whereof the said *A. B. and C.*
 ‘ to be Three, ſhall think expe-
 ‘ dient, ye do ſurvey the ſaid Walls,
 ‘ Fences, Ditches, Banks, Gutters,
 ‘ Gotes, Sewers, Calcies, Ponds,
 ‘ Bridges, Rivers, Streams, Water-
 ‘ courses,

Awarding of
 Writs and Pre-
 cepts to She-
 riffs, Bailiffs,
 and others.

To compel
others to obey
their Orders.
2 Bulstr. 298.

' courses, Mills, Locks, Trenches,
 ' Fish-garths, Flood-gates, and
 ' other the Lets, Impediments, and
 ' Annoyances aforesaid, and ac-
 ' complish, fulfil, hear and deter-
 ' mine, all and singular, the Pre-
 ' mises in due Form, and to the
 ' Effect aforesaid, after your good
 ' Discretions (¹⁵); and all such as ye
 ' shall find negligent, gainsaying, or
 ' rebelling in the said Works, Re-
 ' parations, or Reformations of the
 ' Premises, or negligent in the due
 ' Execution of this our Commission,
 ' that ye do compel them by Distress,
 ' Fines and Amerciaments, or by
 ' other Punishments, Ways, or
 ' Means which to you, or Six of you,
 ' whereof the said *A. B.* and *C.* shall
 ' be Three, shall seem most expe-
 ' dient for the speedy Remedy, Re-
 ' dress, and Reformation of the
 ' Premises, and due Execution of
 ' the same (¹⁶); and all such Things
 ' as by you shall be made and or-
 ' dained in this Behalf, as well within
 ' Liberties as without, that ye do
 ' cause the same firmly to be obser-
 ' ved,

‘ ved, doing therein as to your Justice
 ‘ appertaineth after the Laws and
 ‘ Statutes of this our Realm, and
 ‘ according to your Wildoms and
 ‘ Directions.

IV. ‘ **Saved always,** to us such Sheriffs to re-
 ‘ Fines and Amerciaments as to us turn before the
 ‘ thereof shall belong (²), and we also Commissioners
 ‘ command our Sheriff or Sheriffs such Jurors
 ‘ of our said County, or Counties as shall be fit
 ‘ of for Inquiry; that
 ‘ they shall cause to come before you,
 ‘ or Six of you, of the which *A. B.*
 ‘ and *C.* to be Three, at such Days
 ‘ and Places as ye shall appoint to
 ‘ them, such, and as many honest
 ‘ Men of his or their Bailiwick, as
 ‘ well within the Liberties as with-
 ‘ out, by whom the Truth may best
 ‘ be known to inquire of the Pre-
 ‘ mises (³), commanding also all allother Officers
 ‘ other Ministers and Officers as shall be attend-
 ‘ well within Liberties as without, ant to the
 ‘ that they and every of them shall Commissioners.
 ‘ be attendant to you in and about
 ‘ the due Execution of this our
 ‘ Commission: **In witness where-**
 ‘ of,

‘ of, we have caused these our Let-
 ‘ ters Patents to be made. Witness
 ‘ Ourself at *Westminster* the
 ‘ Day of in the Year o
 ‘ our Reign.’

The Commis-
 sioners shall
 take an Oath,
 enforced by
 25 H. 8. c. 10.

V. And it is also Enacted, That
 every such Person as shall be named
 Commissioner in the said Commis-
 sion, after he hath Knowledge
 thereof, shall effectually put his Di-
 ligence and Attendance, in and
 about the Execution of the said
 Commission⁽³⁾; and before he shall
 take upon him the Execution of the
 said Commission, he shall take a Cor-
 poral Oath before the Lord Chan-
 cellor, or before such to whom the
 said Lord Chancellor shall direct the
 King's Writ, of *Dedimus Potestatum*
 to take the same, or before the Ju-
 stices of the Peace, in the Quarter
 Sessions holden in the Shire, where
 such Commissions shall be directed:
 The Tenor of which Oath hereaf-
 ter ensueth.

‘ We

(3) " ~~We~~ shall swear, that you, to <sup>The Form of
the Oath.</sup>
 " your Cunning, Wit, and Power,
 " shall truly and indifferently exe-
 " cute the Authority to you given
 " by this Commission of Sewers,
 " without any Favour, Affection,
 " Corruption, Dread, or Malice to
 " be born to any Manner of Person
 " or Persons : and as the Case shall
 " require, ye shall Consent, and
 " endeavour yourself for your Part
 " to the best of your Knowledge,
 " and Power, to the Making of such
 " Wholesome, Just, Equal, and
 " indifferent Laws and Ordinances
 " as shall be made and devised, by
 " the most discreet and indifferent
 " Number of your Fellows, being
 " in Commission with you, for the
 " due Redress, Reformation, and
 " Amendment, of all and every
 " such Things, as are contained and
 " specified in the said Commission :
 " and the same Laws and Ordinances
 " to your Cunning, Wit, and Power,
 " cause to be put in due Execution;
 " without Favour, Meed, Dread,
 " Malice, or Affection, as GOD
 " you help, and all Saints."

A Confirmation
of other
Statutes.

VI. And it is also Enacted by the Authority aforesaid, That all and every Statute, Act, and Ordinance, heretofore made concerning the Premises, or any of them, as well in the Time of our Sovereign Lord the King that now is, as in the Time of any of his Progenitors, Kings of this Realm of England, not being contrary to this present Act, nor heretofore repealed, from henceforth shall stand, and be good and effectual for ever, and to be put in due Execution according to the true Meaning and Purport of the same.

The Authority
of the Commis-
sioners.

1 Mar. sess. 3.
c. 11.
13 Eliz. c. 9.

VII. And over that it be Enacted, That the Commissioners hereafter to be named in any of the said Commissions, according to the Purport and Effect of the same Commissions, have full Power and Authority to make, constitute, and ordain Laws, Ordinances, and Decrees, and further, to do all and every thing mentioned in the said Commission, according to the Purport, Effect, Words, and true Meaning of the same; (²) and the
same

same Laws and Ordinances, so made, to reform, repeal, and amend, and make New from Time to Time, as the Cases necessary shall require in that Behalf.

VIII. Provided alway, and it is Enacted, That if any Person or Persons being assessed, or taxed to any Lot or Charge for any Lands, Tenements, or Hereditaments, within the Limits of any Commission hereafter to be directed, do not pay the said Lot, and Charge according to the Ordinance and Assignment of the Commissioners, having Power of the Execution of the said Commission; by reason whereof it shall happen, the said Commissioners, having Power of the Execution of such Commission, for lack of Payment of such Lot and Charge, to decree and ordain the same Lands, Tenements and Hereditaments, from the Owner, or Owners thereof, and their Heirs, and the Heirs of every of them, to any Person or Persons for Term of Years, Term of Life,

The Ordinances of Commissioners upon those which refuse.

extended to Copyhold Lands.
7 Ann. c. 10.

in Fee Simple, or in Tail, for Payment of the same Lot and Charge. That then every such Decree and Ordinance so by them made and ingrossed in Parchment, and certified under their Seals into the King's Court of Chancery, with the Kings Royal Assent had to the same, shall bind all and every Person and Persons, that at the making of the same Decree, had any Interest in such Lands, Tenements, or Hereditaments, in Use, Possession, Reversion, or Remainder, their Heirs and Feoffees and every of them, and not to be in anywise reformed, unless it be by Authority of Parliament hereafter to be summoned and holden within this Realm.

The Commis-
sioners Decree
shall bind the
King's and
Mens Lands.

3. Ed. 6. c. 8.

XI. And also it is provided, by Authority aforesaid, That the same Laws, Ordinances, and Decrees, to be made and ordained by the said Commissioners, or Six of them, by Authority of the said Commission shall bind as well the Lands, Tenements, and Hereditaments, of the King

King our Sovereign Lord, as all and every other Person, and Persons, and their Heirs, for such their Interest, as they shall fortune to have, or may have in any Lands, Tenements, or Hereditaments, or other casual Profit, Advantage, or Commodity whatsoever they be, whereunto the said Laws, Ordinances, and Decrees, shall in anywise extend, according to the true Purport, Meaning, and Intent of the same Laws.

X. And it is furthermore, by the Authority aforesaid, **established and Enacted,** That if any manner of Person or Persons, of what Estate, or Degree soever he, or they be of, that from henceforth do take upon him, or them, to sit by Virtue of any of the said Commissions, not being before sworn in Form as is aforesaid, and according to the Tenour of the Oath before specified; or if any Person so named, and sworn, do sit as is aforesaid, not having Lands and Tenements, or other Hereditaments, in Fee Simple,

No Man may sit being unsworn.

What Land each Commissioner shall have.

13. El. c. 9.
25. H. 8. c. 10.

Fee Tail, or for Term of Life, to the clear Yearly Value of xl Marks, above all Charges to his own Use, except he be resiant, and free of any City, Borough, or Town Corporate, and have moveable Substance of the clear Value of One Hundred Pounds, or else be learned in the Laws of this Realm, in, and concerning the same, that is to say, admitted in one of the Four Principal Inns of Court for an utter Barrister, shall Forfeit xl £. for every time that he shall attempt so to do; (²) the one half thereof to be to our Sovereign Lord the King, and the other half thereof to the Use of him, or them, that will sue therefore; by Action of Debt, Bill, Plaint, or Information, in any of the King's Courts; in which Action, or Suit, no Wager of Law, shall be admitted, nor any Essoign, or Protection shall be allowed.

XI. **And** if any Action, of Trespas, or other Suit shall happen to be attempted, against any Person or
Persons,

Persons, for taking of any Distress or any other Act doing, by Authority of the said Commission, or by Authority of any Laws, or Ordinances made by Virtue of the said Commission, the Defendant or Defendants, in any such Action, shall, and may make Avowry, Conifance, or Justification for the taking of the same Distress; or other Act doing, touching the Premisses, or of any of them, alledging in such Avowry, Conifance, or Justification, that the said Distress, Trespass, or other Act, whereof the Plaintiff complaineth, was done by the Authority of the Commission of Sewers for Lot, or Tax, assessed by the said Commission, or for such other Act or Cause, as the said Defendant did, by Authority of the same Commission, and according to the Tenor, Purport, and Effect, of this present Act, made the Three and Twentieth Year of the Reign of Our Sovereign Lord King *Henry* the Eighth, without any expressing, or rehearsal of any other Matter or Circumstance contained

Avowry or Justification of a Distress, taken by Reason of the Commission of Sewers.

Co. pl. f. 293.

in this present Act, or any Commission, Laws, Statutes, or Ordinances thereupon to be made; ⁽²⁾ whereupon the Plaintiff shall be admitted to Reply, that the Defendant did take the said Distress, or did any other Act, or Trespass supposed in his Declaration of his own Wrong, without any such Cause alledged by the said Defendant, whereupon the Issue in every such Action, shall be joined to be tried by Verdict of Twelve Men, and not otherwise, as is accustomed in other Personal Actions; ⁽³⁾ and upon the Trial of that Issue, the whole Matter to be given on both Parties in Evidence, according to the very Truth of the same.

Where the Defendant shall repay Damages with his Costs of Suit.

XII. And, after such Issue, tried for the Defendant, or Nonsuit of the Plaintiff after Appearance, the same Defendant to recover Treble Damages, by Reason of his wrongful Vexation in that Behalf, with his Costs also in that Part sustained, and that to be assessed by the same Jury,
or

or Writ, to enquire of Damages as the Cause shall require.

XIII. And it is also Enacted, The Wages and Fees of Commissioners, Clerks, Collectors, &c.
 That, every of the said Commissioners shall have, and receive, Four Shillings for every Day that they shall take Pain in the Execution of this Commission of Sewers, and One Clerk by them to be assigned Two Shillings, for every Day of the Rates, Taxes, Lots, and Wains, that shall be assessed, or lost by the Authority of the said Commission, and to be levyed, and paid, by their Discretions; ⁽²⁾ and, that the said Commissioners, or Six of them, shall have Power and Authority to limit, and assign of the same Rates, Taxes, Lots, and Wains, by their Discretions, such reasonable Sums of Money, to the said Clerk, for Writing of Books, and Process, concerning the Premises, and to the Collectors, Expenditors, and such other, as shall take pain, in the due Execution of the said Commission, as by the Discretions of the said Commis-

Commissioners, or Six of them, shall be thought reasonable.

Commissions
within the Li-
berty of the
Dutchy.

XIV. **Provided** alway, That whensoever, and as often, as such Commission, as is afore limited, shall be made and directed, to any Person or Persons, for the Reformation and Amendment of, or in any of the Premises, specified in the said Commission, within the Fees, Liberties, or Possessions of the Dutchy of *Lancaster*, that then such Commissioners, as shall execute any such Commission, shall be always named, and appointed by the Discretion of the Lord Chancellor, and Lord Treasurer of *England*, and the said Two Chief Justices of either Bench, and the Chancellor of the said Dutchy for the Time being, or Three of them, whereof the said Lord Chancellor, and the Chancellor of the Dutchy, to be Two; ⁽²⁾ and that in every such Case, Two Commissions shall be awarded, and made according to the Tenor of the Commission above expressed, One thereof
under

under the Great Seal of *England*, and the other under the Seal of the same Dutchy, as before time hath been accustomed; any thing afore rehearsed, in this Act to the contrary hereof notwithstanding.

XV. And it is further Enacted, The Charge of the Commis-
sions. That the said Commissions from Time to Time, as the Case shall require, shall be had and obtained, without any Money, or other Charge to be paid, for the Seals, or Writing of the same; unless it be to the King; Two Shillings and Six Pence, for the Seal of every Commission, as hath been accustomed; and for the Writing and Inrolling, of any one Commission, Five Shillings, and not above.

XVI. And it is further Enacted, A Commission of Sewers shall endure Three Years. That every Commission to be made by the Authority of this Act, shall endure and continue, for the Term of Three Years, next after the Teste of the Commission, ^{altered by} 13 El. c. 9. f. 1. (2) nevertheless, after any Commission, made and delivered

A Commission
or Commis-
sioner dis-
charged by
Supersedeas.

delivered out of the Kings Court of Chancery, the Kings Highness shall always at his Pleasure, by his Writ of *Supersedeas*, out of his said Court of Chancery, at any Time discharge as well every such Commission, as every Commissioner that shall be made or named by Authority of this Act. ⁽³⁾ After which Discharge, the said Commissioners, shall have no Power, or Authority to proceed in the Execution of their Commission, nor in any thing by Authority of this Act.

How long the
Commissioners
Decree shall
endure.

March, 169.
altered by
13. El. c. 9. f. 1.

XVII. Provided always, That such Laws, Acts, Decrees, and Ordinances, as shall happen to be made by the said Commissioners according to the Tenor of their Commission, or by Authority of this Act, shall stand good and effectual, and be put in due Execution so long Time as their Commission endureth, and no longer; except the said Laws, and Ordinances, be made and ingrossed in Parchment, and certified under

under the Seals of the said Commissioners, into the Kings Court of Chancery, and then the Kings Royal Assent, be had to the same; any thing contained in this present Act, to the contrary hereof notwithstanding.

XVIII. **Provided also,** That ^{Commissions} whensoever, and as often, as such ^{into a County} Commission as is afore limited, shall ^{Palatine.} be made and directed, to any Person or Persons for the Reformation and Amendment of, or in any of the Premises specified in the said Commission within the Fees, Liberties, and Possessions of the Principality of *Wales*, the County Palatine of *Chester*, or within the Fees, Liberties, and Possessions, of any other Place, where there is Liberty, and Jurisdiction of County Palatine, that in every such Case, Two Commissions shall be awarded, and made according to the Tenor of the Commission above expressed, One thereof under the Great Seal of *England*,
and

and the other under the Usual Seal of the County Palatine, in Manner and Form, as is above provided for the Dutchy of *Lancaster*; any thing afore rehearsed, in this present Act, to the contrary notwithstanding.

The Kings
Royal Assent
shall be certifi-
ed into the
Chancery.
altered by
13 El. c. 9. f. 1.

XIX. And it is provided, and also Enacted, That the Royal Assent, limited, to be had unto the Laws, and Ordinances to be made by the said Commissioners, as is abovesaid, shall be certified into the said Court of Chancery under the Kings Privy Seal; ⁽²⁾ and that there shall not any Sum of Money be paid for the same Privy Seal; but for the Writing of the same Certificate, under the said Privy Seal, shall be paid to the Writer thereof ii s. and not above, nor no other, nor greater Sum, for any thing touching or concerning the same Certificate, under the same Privy Seal.

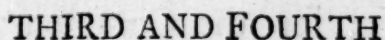
XX. Pro:

XX. **Provided alway,** That the Commissioners in Chancellors, and such others as Wales and Counties Palatine shall have the Custody of the Seals of the said Principality of *Wales*, or the County Palatine of *Chester*, or within the Fees, Liberties, and Possessions of any other Place, where there is Liberty and Jurisdiction of County Palatine, upon reasonable Request, and upon the Sight of the Commission under the Kings Great Seal of his Chancery, shall without delay, make out another Commission, under the Seal of the said County Palatine, according to the Tenor of the Kings Commission, to them shewed under his Great Seal; (²) and to those Commissioners as shall be named by the Lord Chancellor, Lord Treasurer, and the Two Chief Justices, or by Three of them, whereof the Lord Chancellor to be One, except it be within the Fees and Liberties of the Dutchy of *Lancaster*, within which Fees, and Liberties, the Commissioners shall be named, and Commissions

Commissions in
Wales and
Counties Pala-
tine.

Regist. f. 127.
made perpetual
by 3 & 4 Ed. 6.
c. 8. and ex-
plained by
3. Jac. 1. c. 14.
and see farther
7 Ann. c. 10.

missions made as is afore ordained by this Act, any thing contained in the said Act, or in any Proviso thereunto added and annexed to the contrary thereof, notwithstanding, (¹) this Act to endure, for Twenty Yeares.



E D W A R D VI.

CHAP. VIII.

*An Act, for the continuance of the
Statute of Sewers.*

' HEREAS in the Par- The Stat. 23.
 ' liament holden at *West-* Hen. viii. cap.
 ' *minster*, by Prorogation, v. touching the
 ' the xv. Day of *January*, Commission of
 ' in the xxiii. Year of the most Sewers, made
 ' victorious Reign of our late Sove- perpetual.
 ' reign Lord King *Henry* the
 ' Eighth, among other Things, one
 ' general Act, concerning Commis-
 ' sions of Sewers, to be directed,
 ' into all Parts within this Realm,
 ' was enacted, and made to continue
 ' and endure for Twenty Years, then
 ' next following, as by the same Act
 ' C more

' more at large it doth and may
 ' appear; and forasmuch as the
 ' same Act is thought good and be-
 ' neficial for the Common-wealth
 ' of this Realm; ' **be it therefore**
Enacted and Ordained by the
 King our Sovereign Lord, with the
 Assent of the Lords Spiritual and
 Temporal, and the Commons in this
 present Parliament assembled, and
 by the Authority of the same, That
 the said Act, and all Clauses, Ar-
 ticles and Provisions, in the same
 contained, shall continue and en-
 dure in their Force and Strength,
 and to be observed and kept forever,
 in such Manner and Form, as shall
 and may stand with the Sequel and
 Additions hereafter mentioned.

All Sums of
 Money rated
 by Force of the
 Commission of
 Sewers upon
 any of the
 King's Lands
 shall be levied
 by Distress.

II. And be it further enacted
 and established, by the Authority
 aforesaid, that all Scots, Lots, and
 Funds of Money, hereafter to be
 rated, and taxed, by Virtue of such
 Commission of Sewers, upon any of
 the Lands, Tenements, or Heredita-
 ments, of our Sovereign Lord the
 King,

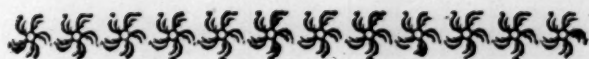
King, his Heirs or Successors, for any Manner of Thing or Things, concerning the Articles of the said Commission of Sewers, shall be gathered and levied by Distress, or otherwise, in like Manner and Form, as shall or may be done in the Lands, Tenements, and Hereditaments, of any other Person or Persons. (2) And that all Bills of Acquittance, signed with the Hand or Hands of such Collector or Receiver, as shall have the Collection thereof, by the Appointment of the said Commissioners, or Six of them, shall be as well a sufficient Discharge to the Tenants, Farmers, and Occupiers of the same Grounds, so to be charged for the said Sum, wherewith their Grounds shall be so charged; as also sufficient Warrant to all and every the Receivers, Auditors, and other whatsoever Officer or Officers of our said Sovereign Lord the King, his Heirs and Successors, for the Allowance to such Tenant, Farmer, or Occupier for the same; (2) adding, moreover,

What Fees shall be paid for the Commission of Sewers sued out under the Seal of the Dutchy.

unto this Act, by the Authority of this present Parliament, that such and like Fees, and none other nor more, shall be at any Time paid or demanded, for any Commission or Commissions, or Writs of *Dedimus Potestatem*, hereafter to be sued out, or obtained, under the Seal of the Dutchy, but only such and like Fees as has been mentioned in the said former Act, to be paid in the Chancery, for Commissions and Writs of *Dedimus Potestatem* to be obtained from the same Court of Chancery. (+) Adding moreover thereunto by the Authority abovesaid, that every Commission and Commissions, hereafter to be awarded for Sewers, shall continue and endure for Term of Five Years, next after the Test of such Commission, unless the same Commission and Commissions shall be otherwise discharged within the said Time by *Supersedeas*; any Thing or Things mentioned, or contained in the said former Act, contrary to the Additions before mentioned, or any of them, in any wise notwithstanding.

How long the
Commission of
Sewers shall
endure, after
13 Eliz. c. 9.

The Commis-
sions to conti-
nue for Ten
Years
13 El. c. 9.



THIRTEENTH

ELIZABETH.

CHAP. IX.

An Act for the Commission of Sewers.

¶ **AS MUCH** as no
¶ **I** Commission of Sewers, by
¶ the Estatutes heretofore 23 H. 8. c. 5.
3 and 4 Ed. 6. c. 8.
made, may have Continuance above the Space of Five Years; ⁽²⁾ **be it therefore enacted** by the Queen's Most Excellent Majesty, with the Assent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That from
C 3 henceforth

Stat. 23 H. 8.
c. 5.

a Commission
of Sewers shall
continue ten
Years.

The Orders of
the Commis-
sioners of
Sewers shall be
of force with-
out the Certifi-
cate of them or
the Royal
Assent.

henceforth all and every Commis-
sion and Commissions of Sewers,
now standing in Force, or that
hereafter shall be granted and made,
shall stand and continue in Force
for the Term of Ten Years next
ensuing the Date of every such
Commission, unless the same Com-
mission or Commissions be, or here-
after shall be repealed or deter-
mined, by Reason of any new Com-
mission in that Behalf made, or by
Supersedeas; ⁽³⁾ and that all such
Laws, Ordinances and Constitutions,
as be, or shall be duly made by
force of any such Commission, ac-
cording to the Tenor and Effect
limited in any former Statute here-
tofore made, touching Commission
or Commissions of Sewers, and
being written in Parchment, in-
dented, and under the Seals of the
said Commissioners, or Six of them
(whereof the one Part shall remain
with the Clerk appointed, and to be
appointed for the Commission of
Sewers for the Time being, and the
other Part in such Place as the same
Commis-

Commissioners, or Six of them, shall order and appoint) shall, without any Certificate thereof to be made into the Court of Chancery, and without the Royal Assent to the same had, stand, and continue in full Force and Effect, notwithstanding any Determination of any such Commission by *Supersedeas*, until such Time, as the same Laws, Constitutions and Ordinances shall be altered, repealed, or made void, by the Commissioners after to be assigned and appointed for Sewers, in those Parts where the same Laws, Ordinances and Constitutions were made, ordained, and constituted, or by Six of them.

II. And be it further Enacted by the Authority aforesaid, That at all Times, from and after, the End and Expiration of the Term of Ten Years next, ensuing the Date or Teste, of any Commission of Sewers hereafter to be made; all such Laws, Ordinances, and Constitutions, as were made by Virtue of

The Commis-
sioners of Sewers
Orders shall
continue One
Year tho' the
Commission do
expire.

C 4 any

any such Commission, and Written in Parchment, Indented and Sealed, as is above mentioned, without Certificate therof, or the Assent Royal, to the same had, as is aforesaid, shall notwithstanding the Determination of any such Commission, by the Expiration of the Term of Ten Years, next ensuing the Date of any such Commission of Sewers, likewise continue in force, for and by the Space of One Whole Year, then next ensuing; (2) and that the

The Justices of Peace may for One Year, execute the Commission of Sewers, unless a New Commission be granted

Justices of Peace, in the Shire and Shires, where the same Laws, Ordinances, and Constitutions, are to be executed, within their several Commissions and Limits, or Six of them, whereof Two to be of the *Quorum*, shall have Power and Authority, by the Space of One Whole Year, next, after the Expiration of every such Commission, to execute the same Laws, Ordinances, and Constitutions, and every of them, as fully, and in as ample Manner, and Form, as the Commissioners, or any of them, named and appointed,

pointed, in every, or any Commission so expired, might or should have done, to all Intents and Purposes, as if the said Commission or Commissions, had continued in force.

III. **Provided always, and be it nevertheless Enacted,** That if any New Commission of Sewers shall be made, within the said Year, that then, immediately from and after, such Commission newly made and published, the Power of the said Justices of the Peace, and every of them, in anywise concerning the Execution of any such Laws, Ordinances and Constitutions of Sewers, shall utterly cease; any Thing or Things, in this Act, to the contrary expressed, in any wise notwithstanding.

IV. **And be it further Enacted,** That no Farmer or Farmers, for Term of Years, of any Manors, Lands or Tenements, lying or being within the Precincts, or Limits, of
 any

A Farmer of Lands chargeable shall not be Commissioner within the same Precinct.

any such Commission of Sewers, which be, or hereafter may be, ordered and chargeable, by any Laws, Ordinances, or Constitutions, made, or to be made, by Virtue of any such Commission, wherein he, or they, shall be named, or appointed Commissioner, or Commissioners, not having Estate, of Freehold, within the Realm of *England*, of, or in Manors, Lands, or Tenements, of the Yearly Value of Forty Pounds, shall at any Time hereafter, have Power to sit, or in any wise intermeddle with the Execution of such Commission or Commissions, during the Time he, or they shall continue, or, be such Farmer or Farmers, of any such Manors, Lands, or Tenements, and shall not have Estate of Freehold as is aforesaid; ⁽²⁾ but that every such Commission, as having Respect only to every such Person, or Persons, for such and so long Time, as he or they shall so be, and continue Farmer, or Farmers, of any such Manors, Lands, or Tenements, shall be deemed,

deemed, and adjudged in Law, to be as void and of Non-effect; any Thing in the same Commission, or any Statute, or Law, heretofore made to the contrary notwithstanding.

V. **And be it further Enacted** by the Authority aforesaid, That from henceforth the said Commissioners, or any of them, shall not be compelled, or compellable to make any Certificate, or Return of the said Commissions, or any of them, or of any of their Ordinances, Laws, or Doings, by the Authority of any the said Commissions, nor shall not have any Fine, Pain, or Amerciament, set upon them, or any of them, or any ways to be molested, in Body, Lands, or Goods, for that Cause.

There shall be
no Certificate
or Return of
the Commission
1 Lev. 288.
1 Vent. 66, 67.

VI. **And** yet nevertheless to the Intent, the Queen's Majesty, our Sovereign Lady, her Heirs, and Successors, may at all Times hereafter, be truly answered, of all such Issues,

The Fines and
Amerciaments
shall be estreat-
ed into the Ex-
chequer.

Issues, Fines, and Amerciaments, as shall happen, grow, or be forfeited by virtue of any such Commission, or by the Execution thereof⁽²⁾; **be it also Enacted**, That the Clerk, and Clerks appointed, and hereafter to be appointed, for, and in any such Commission and Commissions of Sewers, shall yearly, truly Estreat all the said Issues, Fines, Penalties, Forfeitures and Amerciaments, that shall be due and answerable to her Highness, her Heirs and Successors⁽³⁾; and the same Estreats, shall Yearly deliver into the Court of the Exchequer, at such Time and Times, and in such Manner and Form, as Justices assigned to, and for the Conservation of the Peace, in anywise should, or ought to do, by virtue of their Commission⁽⁴⁾, upon Pain to forfeit to our Sovereign Lady the Queen, her Heirs and Successors, for every Default in that Behalf made, Five Pounds.

VII. Provided always, That it shall be lawful for any Commis-
sioner,

fioner, being also a Farmer, and not having Lands and Tenements, to the clear Yearly Value of Forty Pounds of Freehold, to sit by virtue of the said Commission, and have his Voice and full Authority with others, to make and establish Ordinances for Sewers, according to the Tenor of the Commission, touching and concerning, all Lands and Tenements, within the Precinct, of every such Commission, other than such Lands and Tenements, as he, or they, for the Time being, hold and enjoy, as Farmer, as he, or they might have done before the making of this Statute; any Thing therein contained, to the contrary 3 Jac. 1. c. 14. notwithstanding.

In what Case a Farmer of Lands chargeable may be a Commissioner.




T H I R D

J A M E S I.

C H A P. XIV.

*An Act for the Explanation of the
Statutes of Sewers.*

‘  **DRASNETH** as Watercourses
‘ the Walls, Ditches, falling into
‘ Banks, Gutters, Sewers, Thames within
‘ Gates, Causeys, Bridges, Two Miles of
‘ Streams and Water-courses, in and London, shall
‘ about the City of *London*, where be subject to
‘ no Passage of Boats is used, having the Commis-
‘ their Course and Fall into the sion of Sewers.
‘ River of *Thames*, where it doth 23 H. 8. c. 5.
‘ usually ebb and flow, and is used
‘ for free Passage of Boats to the
‘ Sea, are already, by the Commis-
‘ sion

' sion of Sewers, appointed to be
 ' surveyed, reformed and amended,
 ' where Need shall require, and are
 ' as needful and meet to be sur-
 ' veyed, reformed, and amended,
 ' from Noiance of the said River
 ' of *Thames*, by the Commissioners
 ' of Sewers, as those Rivers, Streams
 ' and Water-courses, where the Wa-
 ' ter doth usually ebb or flow (²),
 ' and where more usual Passage of
 ' Boats hath been, and yet are not
 ' under the Survey, Correction and
 ' Amendment of the Commission
 ' of Sewers, nor of the Statute
 ' made for Sewers in the Three
 ' and Twentieth Year of the Reign
 ' of King *Henry* the Eighth, or
 ' of any other Statute made for
 ' Sewers, as the same should have
 ' been, if the Hurts, Noiances
 ' and Inconveniencies, now by daily
 ' Experience felt and found in
 ' those Places had been seen and
 ' considered of.'

Vin. 19. 410.

II. For Reformation whereof, he
 it Enacted by our Sovereign Lord
 the

the King, and by the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the Walls, Ditches, Banks, Gutters, Sewers, Gotes, Causeys, Bridges, Streams and Water-courses, within the Limits of Two Miles, of, and from the City of *London*, which Waters have their Course and Fall into the River of *Thames*, shall, from henceforth, be to all Intents, Constructions and Purposes, as fully subject to the Commission of Sewers, and to all the Statutes made for Sewers, and to all Penalties in the same Statutes, and in every of them contained, as if the same Places near to the said City of *London* had been particularly named in the said Statute of Sewers, or that therein the Water had ebbed and flowed, and therein free Passage with Boats and Barges to the Sea had been heretofore used; any Thing in the said Statutes or elsewhere to the contrary in any wise notwithstanding.

6 H. 6. c. 5.

8 H. 6. c. 3.

23 H. 8. c. 5.

25 H. 8. c. 10.

3 & 4 Ed. 6. c. 8.

1 Mar. sess. 3.

c. 11.

13 Eliz. c. 9.






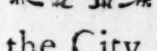
S E C O N D

WILLIAM and MARY,

SESS. II. CHAP. VIII.

An Act for paving and cleansing the Streets in the Cities of London and Westminster, and the Suburbs and Liberties thereof, and Out-Parishes in the County of Middlesex, and in the Borough of Southwark, and other Places within the Weekly Bills of Mortality, in the County of Surry, and for regulating the Markets therein mentioned.

S E C T. XIV.

'  **Whereas** many New Sewers
subject to the
Commission of
Sewers.
 '  new Sewers, Sinks and
 '  Vaults, have been made
 '  in the Parishes within
 ' the City and Liberty of *Westmin-*
 ' *ster*, and other the Parishes afore-
 ' said, by the Commissioners ap-
 ' pointed
 ' 3 Jac. 1, c. 14.
 ' 13 Eliz. c. 9.
 ' 1 Ma. ff. 3. c. 11.
 ' 3 & 4 Ed. 6. c. 8.
 ' 25 H. 8. c. 10.
 ' 23 H. 8. c. 5.
 ' 6 H. 8. c. 3.
 ' 6 H. 6. c. 5.

‘ pointed by the said recited Act,
 ‘ which, since the Expiration there-
 ‘ of, are much neglected and a
 ‘ Nuisance to the Inhabitants, be-
 ‘ cause of some Doubt whether such
 ‘ new Sewers are within the Juris-
 ‘ diction of the Laws of Sewers;’
be it therefore enacted by the
 Authority aforesaid, That all new
 Sewers, at any Time since the
 Twelfth Year of the Reign of the late
 King *Charles* the Second, made in
 any of the said Parishes, shall be
 henceforth subject to the Com-
 mission of Sewers, and to the Laws
 and Statutes made for Sewers, as
 fully to all Intents and Purposes, as
 if such Sewers, Sinks and Vaults,
 had been expressly mentioned in the
 said Statutes of Sewers, to be under
 the Survey of the said Commis-
 sioners; and the Commissioners of
 Sewers, for the Time being, within
 the Limits of their respective Com-
 missions, shall have Power and
 Authority, by virtue of this Act,
 to alter, amend, cleanse, and scour
 any

any such new Sewers, Sinks, and Vaults, and to order and direct the making of any other new Vaults and Sewers, and to cut into any Drain or Sewer already made, and to alter and take away any Nuisances in the same, and to alter or take away any Cross Gutter or Channels, in all or any of the Streets and Lanes in the Parishes aforesaid.



S E V E N T H

A N N E,

CHAP. X. SECT. I.

*An Act for rendering more effectual
the Laws concerning Commissions of
Sewers.*

¶ **H E R E A S** by the Preamble, re-
citing the Laws
now in force, con-
cerning Commissions of
Sewers, it is provided,
That if any Person or Persons
being assessed or taxed to any
Lot or Charge, for any Lands,
Tenements, or Hereditaments
within the Limits of any such
Commission, do not pay the said
Lot and Charge, according to
the Order and Assignment of the
Commissioners, having Power of
the Execution of the said Com-
mission, that then the said Com-
missioners for lack of Payment of
such

6 H. 6. c. 5.
8 H. 6. c. 3.
4 H. 7. c. 1.
23 H. 8. c. 5.
25 H. 8. c. 10.
3 & 4 Ed. 6. c. 8.
1 Ma. ft. 3. c. 11.
13 El. c. 9.
3 Jac. 1. c. 14.

‘ such Lot or Charge, may decree
 ‘ and ordain the said Lands and
 ‘ Tenements, from the Owner or
 ‘ Owners thereof, and their Heirs,
 ‘ and the Heirs of every of them,
 ‘ to any Person or Persons, for
 ‘ Term of Years, Term of Life,
 ‘ Fee-Simple, or Fee-Tail, for Pay-
 ‘ ment of the same Lot and Charge,
 ‘ the said Decrees and Ordinances
 ‘ to be executed in such Manner,
 ‘ as by the said Laws now in force
 ‘ is directed and appointed: **And it**
 ‘ **is thereby provided,** That the
 ‘ same Decrees and Ordinances,
 ‘ shall bind all and every Person and
 ‘ Persons, that at the making of the
 ‘ same Decree had any Interest in
 ‘ such Lands, Tenements, and
 ‘ Hereditaments, in Use, Possession,
 ‘ Reversion, or Remainder, their
 ‘ Heirs and Feoffees, and every of
 ‘ them; and shall also bind as well
 ‘ the Lands, Tenements, and He-
 ‘ reditaments, of the King of *En-*
 ‘ *gland*, as all and every other Per-
 ‘ son and Persons and their Heirs,
 ‘ and such their Interest, as they
 shall

' shall Fortune to have in any
 ' Lands, Tenements, and Heredi-
 ' taments, or other casual Profit,
 ' Advantage, or Commodity what-
 ' soever they be, whereunto the said
 ' Laws, Ordinances, and Decrees
 ' shall in anywise extend, according
 ' to the true Purport, Meaning, and
 ' Intent of said Laws; but the said
 ' Laws of Sewers, now in force,
 ' have been found defective, in that
 ' sufficient Power and Authority is
 ' not thereby given to Commission-
 ' ers of Sewers, to make Sale of
 ' Copyhold or Customary Lands
 ' within the Limits of their Com-
 ' mission for the Causes aforesaid;

for Remedy whereof, **Be it enacted**
 by the Queen's Most Excellent
 Majesty, by and with the Advice and
 Consent of the Lords Spiritual and
 Temporal, and Commons, in this
 present Parliament assembled, and
 by the Authority of the same, That
 from and after the Five and
 Twentieth Day of *March* in the
 Year of our Lord One Thousand
 Seven Hundred and Nine, it shall
 and

After 25th
 March, 1709,
 Commissioners
 of Sewers may,
 for Non-pay-
 ment of any
 Lot assessed on
 Copyhold
 Lands, decree
 the same from
 the Owners,
 &c.

and may be lawful to and for the Commissioners authorized by Commission from her Majesty, her Heirs and Successors, or any Six or more of them, to put in Execution the Laws now in force concerning Sewers, for Nonpayment of any Lot or Charge assessed or charged upon any Copyhold or Customary Lands within the Limits of their Commission, and by the Power and Authority of the said Commission of Sewers to decree and ordain the said Copyhold or Customary Lands so charged from the Owner or Owners, and their Heirs, and the Heirs of every of them, to any Person or Persons, for such Estate and Interest therein, as the said Owner or Owners thereof, or any claiming in remainder under them, at the Time of such Decree made, had in the same Copyhold Lands, Tenements, and Hereditaments; the said Decrees to be made and executed, as Decrees concerning Freehold Lands are, by the said Laws now in force, to be made and executed,

The said Decrees to be executed as Decrees concerning Freeholds.

II Provided

II **Provided** always, That all and every Person or Persons, to whom any such Sale of Copyhold or customary Lands or Tenements shall be made, shall before such Time as they or any of them shall enter, or take any Profit of the same Lands or Tenements, agree and compound with the Lords of the Manors, of whom the same shall be holden, for such Fines or Incomes, as heretofore hath been most usual and accustomed to be yielded or paid therefore; and that upon every such Agreement or Composition, the said Lords for the Time being, at the next Court to be holden at, or for the said Manors, shall not only grant to such Vendor or Vendors upon request, the same Copyhold, or Customary Lands or Tenements, by Copy of Court-Roll of the said Manors, for such Estate or Interest as to them shall be so decreed or sold, and reserving the antient Rents, Customs, and Services, but also shall, in the same Court, admit them Tenants of the same Copyhold or Customary Lands,

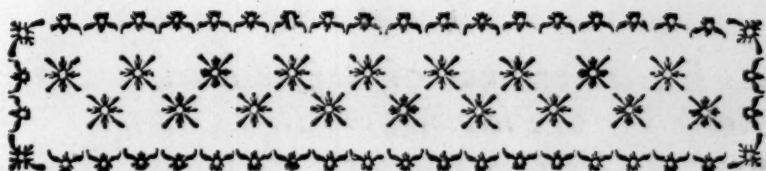
The Buyers of such Copyhold Lands to agree with the Lords of whom holden, for the accustomed Fines, and the Lords to admit them Tenants.

as other Copyholders of the same Manors have been wont to be admitted, and to receive their Fealty accordingly.

Six Commissioners may, by Warrant, empower any Person to levy the Assessment by Distress and Sale.

The Overplus to be restored to the Owners.

III. And be it further enacted and declared, That it shall and may be lawful to and for the Commissioners of Sewers, or any Six or more of them, by Warrant under their Hands and Seals, to give Authority to any Person or Persons, to levy the Sums of Money by them, from time to time, to be assessed or taxed upon the Lands, Meadows, Marshes or Grounds, liable or chargeable with any Sesses, Taxes, Impositions, or Charges, by Authority of their said Commission, by Distress and Sale of the Goods of such Person or Persons that shall not pay or refuse to pay the same; and the Overplus of the Money arising upon such Sale, after Deduction of the reasonable Charges of making such Distress and Sale, shall be restored to the Owner or Owners of the Goods so distrained.



L I S T
OF THE
SEVERAL SEWERS
UNDER THE
Jurisdiction of the COMMISSIONERS
FOR
Westminster, and part of Middlesex.

KING's SCHOLARS POND SEWER,
Begins at *Marybone High-street*, and empties
itself at *Milbank, Westminster*, by Mr.
Adam's Wharf.

THIS Sewer receives the Water from part
of *Cleveland-court*, from the *Stable yard*,
and part of *St. James's-place*, from part of *Albe-*
marle-

marle-street, and part of *Stafford-street*, from the North-side of *Piccadilly*, extending from *Dover-street* to *Hyde-park-corner*, including *Dover-street*, from *Buckingham-house*, *Stafford row*, *Mr. Ekin's Brewhoule*, and some other Houses in *Chelsea-road*, *Saville row*, *New Burlington-street*, *Great Burlington-street*, *Cork street*, *Clifford-street*, part of *Swallow-street*, *Thomas-court*, *Orange-street*, *Beak-street*, North-side, part of *King-street*, *Locker's-court*, *Foubert's-passage*, *Tyler's-street*, *Carnaby-street*, *Cross-street*, *George-court*, *Argyll-buildings*, *New Tylers-street*, *Market-court*, *New Cross-street*, *Marlborough-row*, *Mr. Lownde's*, part of *Carnaby-market*, *Oxford-street*, South-side, from *Argyll street* to *Park-lane*, *New Bond street* with the Duke of *Grafton's* and next House Southwards, *Conduit-street*, *George-street*, *Mill-street*, *Maddox-street*, *Paulin-street*, *Hanover-street*, *Princes-street*, *Hanover-square*, and all other Streets and Places thereabout as far as *New Bond-street* Eastwards, *Piccadilly* Southwards, *Park-lane* Westwards, and all the Parish of *St. Mary-le-bon*, West of *Wells street*, Northwards.

HARTS-

HARTSHORN-LANE SEWER,

Begins at the *Rope-walk*, in the Parish of Saint *Mary-le-bon*, and empties itself at the Bottom of *Northumberland street*.

This Sewer receives the Water from the *Strand*, extending from *Northumberland-house*, to the *New Exchange-buildings*, including *Northumberland-court* and *Street* on the South-side, and all the Courts and Places on the North-side, except *Castle-court*; from *Vine-street*, *Chandos-street*, *Bedford-court*, *Bedford-bury*, *New-street*, part of *Rose-street*, *Long-acre*, except some Houses at the East-end *Conduit court*, *Banbury-court*, *Castle-street*, behind *Long-acre*, *King-street*, *St. Giles*, part of *Short's-gardens*, *Brownlow-street*, *Belton-street*, *Bowl-yard*, *Middle-row*, *Broad-street* to *Holborn-end*, part of *Bow-street* and *Castle-street*, *Bloomsbury*, part of *Duke-street*, *Plumbtree-street* and *Dyot street*, and all the Streets and Places between *Great Russel-street*, *Broad-street*, *High street*, *St. Giles's*, and three Houses at the West End of *Great Russel-street*; on the North-side, all *Tottenham-court-road*, *Whitefield's Tabernacle*, all the Streets and Places between *Tottenham-court-road* Eastwards, the *New Road* Northwards, *Oxford-street*

street Southwards, and Wells-street Westwards, Oxford-road, from St. Giles's to Wells-street, on the North side, and to Argyll street, on the South-side, Great Marlborough-street, Little Marlborough-street, Lord Craven's, part of Carnaby-market, part of Silver-street, part of Golden square, part of Brewer-street to Francis-street, East-side of Francis-street, Marybone-street, Shug lane, the East-side of the Hay-market, the North-side of Cockspur-street, and Charing-crofs to St. Martin's-Lane, including all the Streets, Courts and Places, within the said Limits.

PALL-MALL SEWER,

Begins in *Silver-street, St. James's*, and empties itself at *Scotland yard*.

This Sewer receives the Water from the East, West, and South-sides of *Charing-crofs*, and South-side of *Cockspur-street*, three Houses in the Passage to *Spring-Gardens, Warwick-street*, West-side of the *Hay-market, Piccadilly*, from *Shug-lane* to *Dover-street*, on the North-side, and from the *Hay-market* to the *Green park* on the South-side, all the Streets and Places between *Piccadilly* on the North, *Pall-mall* on the South, the *Hay-market* on the East, and the

the *Green Park* on the West, except some part of *St. James's-p'ace*, *Stable Yard* and *Cleveland-court*, part of *Albemarle-street*, all *Old Bond-street*, and part of *Stafford-street*, from *Sackville-street*, part of *Swallow-street*, *Glass-house-street*, *Leicester-street*, *Heddon-street*, *Heddon-court*, *Beak-street*, South-side *Little Swallow-street*, *Vine-street*, *Warwick-street*, *George-court*, some Houses in *Marybone-street*, all *Air street*, *Castle-street*, *Gibson's-court*, West-side of *Francis-street*, part of *Brewer-street* at the West-end, part of *Golden-Square*, all *John-street*, part of *Silver street*, part of *King-street*, and part of *James-street*.

ESSEX-STREET SEWER,

Begins on the North-side of *Holborn*, in the Parish of *St. George, Bloomsbury*, and empties itself at the Bottom of *Essex-street*.

This Sewer receives the Water from the *Strand*, between *Temple-bar*, the End of *Surry-street*, including *Cross keys-alley*, *Paul's-grave-head-court*, *Devereux-court*, *Essex-street*, and *St. Clement's Church yard*, part of *Holywell-street*, *Butcher row* and Courts there, part of *Shire-lane*, *Ship-yard*, *Old Boswell-court*, *Saint Clement's lane*, *Wych street*, *Drury-lane* up to *Holborn End*, all *Lincoln's-inn fields*, *Whetstone's*
E
Park,

Park, all *Clare-market* and *Streets* about it, all the *Streets*, *Courts*, *Alleys* and *Places*, lying between *Drury-lane* on the West, *Lincoln's-inn-fields* on the East, *Holborn* on the North, and *Wyck street* on the South, some *Stables* behind *Portugal-row*, *Grange-court*, *Plough-court*, *New Court*, and *Hemlock-court* in *Carey-street*, *Angel court*, *Windsor court*, part of *Red-lyon-court*, *Middlesex court*, part of *Short's gardens* and *Prince's court* in *Drury-lane*, part of *Long-acre*, part of *Holborn*, part of *Little Queen-street*, and part of *Turnstile-alley*, all *Dirty lane*, *Bloomsbury-market*, *Hyde-street*, *Hart-street*, *Soaper's-row*, part of *Bow-street*, part of *Peter-street*, part of *Duke-street*, part of *Castle-street*, and part of *Queen-street*, *Bloomsbury*.

DURHAM-YARD SEWER,

Begins in *Drury-lane*, near *Long-acre*, and empties itself at the *Adelphi*.

This Sewer receives the Water from the *Strand*, between the End of *Catherine-street* and *Castle court*, with all the *Courts* and *Alleys* in that Part (except *Fountain-court*, *Beaufort-buildings*, *Cecil-street*, *Ivey-lane*, and *Salisbury-street*,) from *Halfmoon-street*, *Maiden-lane*, *Bedford-*

ford-street, Henrietta street, part of Rose-street, all King-street, Covent garden-market, and Houses round James-street, Hart street and Courts there, Bow-street, with Broad-court, Earl's-court and Martlett-court, Russell-street as far as Drury lane, Bridges-street, with Vinegar-yard, Playhouse yard and Russel court, York-street, Charles street, Tavistock-street, Southampton-street, Tavistock-court, Burleigh-street, Denmark-court, Exeter-street, and the West-side of Catherine-street, including both the Play-houses and Exeter-'change.

CAREY-STREET SEWER,

Begins in *Portugal-row, Lincoln's-inn-fields*, and empties itself in *Chancery-lane*.

This Sewer receives the Water from *Carey-street*, the upper Part of *Shire-lane, Boswel-court, Cook's court*, part of *Portugal street*, and all *Serle street*.

SOMERSET WATER-GATE SEWER,

Begins in *Catherine-street*, in the *Strand*, and empties itself by *Somerfet-house*.

This Sewer receives the Water from part of the *Strand*, lying eastwards of *Catherine-street*, from the East-side of *Catherine-street*, and from *White-hart-yard*.

KING-STREET SEWER,

Begins in *Downing-street, Westminster*, and empties itself near the North-end of *Chanell-row*.

This Sewer receives the Water from *Brewer's-yard, King-street*, except some Houses at the South-end, *Union-street, Fountain-court, Bell-alley, George yard, Delabay-street, Blue-boar's-head-yard, Brown's-alley, Gardener's-lane, Bowman's-court, Cherry-court, Charles-street, Duke-street, Crown-court, Bell-yard, Sea alley, Ax yard, Duffin's court* and *Downing-street*.

COLLEGE-STREET SEWER,

Begins in *James-street, Pimlico*, and empties itself at *Millbank*, near *Abingdon-buildings*.

This Sewer receives the Water from *Long-ditch*, and all the Courts, Streets and Alleys there, as *Angel-court, Bennet-street, St. John-street, Prince's-court, Queen-street, Park-prospect, Dartmouth-street, Queen-square*, part of *Petty France, White-hart yard*, part of the *Broad-way, Dacre street, Tothil-street* with the Courts and Alleys, *Carteret-street*, part of *New Tothil-street*,

street, the New-way, Almonry, Duke's-court, Broken-cross, Thieving-lane with the Courts and Alleys, Dean street, some Houses in St. Margaret's Church-yard, some Houses in King-street, the Little Sanctuary, Great Sanctuary with the Gate-house, Dean's yard with the Deanry, Prebendary's Houses and Cloysters, two Houses in the Bowling-alley, all College-street, Cowley-street and Barton street.

WOOD-STREET SEWER,

Begins in *Duck-lane*, and empties itself by Mr. *Pearce's Brew-house, Millbank.*

This Sewer receives the Water from the *Bowling-alley, Peter-street, Smith-street, Great St. Ann's-lane, Willis-court, Perkin's-rents, Pump-court, Strutton ground, Orchard street, Cat's-head-court, Duck-lane, Pear-street, Old Pye-street, Little Ann's-lane, Pipemaker's alley, New Pye-street, part of Millbank, Wood-street, North-street, Smith-square, Tufton-street, part of Marsham-street, Bennet's yard, Laundry-yard, Adam-a digging yard, Goostrey-alley, New Peter-street, part of Chapel-street, part of New Tothil-street, Stable yard, College-court, Black-dog-alley and Pipe's-ground.*

ROMNEY-ROW SEWER,

Begins in the *Horse ferry-road*, and empties itself at the *Horse ferry*.

This Sewer receives the Water from the *Horseferry road*, *Tufton street*, *Market-street*, *Millbank-street*, *Vine-street*, *Champion-alley* and *Church street*.

STRAND-LANE SEWER,

Begins in *Holywell-street*, in the *Strand*, and empties itself at the Bottom of *Strand-lane*.

This Sewer receives the Water from part of the *Strand*, on the East-side of the *New Church*, *Strand-lane*, *Naked-boy-court*, *Holywell-street*, *King's-arms-court*, *Holywell court*, *Little Drury-lane* and *Pettyford-yard*.



COMMISSIONERS

OF

SEWERS,

FOR

WESTMINSTER

AND PART OF

MIDDLESEX.

JUNE 7th, 1776.

LORD Chancellor, Great Russel-street
Earl Gower, Whitehall
Duke of Beaufort, Grosvenor-square
Marlborough, Marlborough-house
Portland, Burlington-house
Manchester, Portman-square
Newcastle, Exchequer
Northumberland, Northumberland-house
Devonshire, Devonshire-house
Earl Percy, Northumberland-house
Northampton, Abroad

E 4

Earl

Earl of Strafford, St. James's-square

Temple, Pall-mall

Kinnoul, Scotland

Marchmont, Curzon-street, May-fair

Bute, South Audley-street

Macclesfield, Cavendish-square

Poulett, Hill-street

Clarendon, Upper Grosvenor-street

Mansfield, Bloomsbury-square

Lord George Cavendish, Berkeley-square

James Cavendish, ditto

Charles Spencer, Admiralty

Robert Manners, Grosvenor-square

Robert Bertie, Mortimer-street

George Sackville Germaine, Pall-mall

Thomas Pelham Clinton, Exchequer

Viscount Weymouth, Arlington-street

Falmouth, St. James's-square

Dudley and Ward, Spring-gardens

Barrington, Cavendish-square

Clare, Great George-street

Cranbourn, Berkeley-square

Lord Guernsey, Arlington-street

North, Downing-street

Bishop of Rochester, Deanry, Westminster

Le Despencer, Hanover-square

Clifford, Spring-gardens

Romney, Arlington-street

Sandys, Bruton-street

Ravensthorpe, St. James's-square

Vere, St. James's-square

Grantham, Madrid

Lord

Lord Grosvenor, Grosvenor-square
Scarsdale, Mansfield-street
Rt. Hon. Sir Fletcher Norton, Lincoln's-inn-fields
Hon. Thomas Howard, Pall-mall
Hon. John Grey, Parliament-street
Hon. Charles Marsham, Arlington-street
Hon. Anne Poulett, Albemarle-street
John Harley, Archdeacon of Hereford, Harley-street
Rt. Hon. Sir Thomas Sewell, Master of the Rolls, Chancery-lane
Rt. Hon. Thomas Townshend, Jun. Cleveland-court
Sir Thomas Frankland, Bart. Old Bond-street
Sir John Dixon Dyke, Bart. Lower Brook-street
Sir Thomas Edwards, Bart. Edwards-street, Portman-square
Sir John Chetwode, Bart. North Audley-street
Sir William Jones, Bart. Cavendish-square
Sir George Colebrooke, Bart. Soho-square
Sir Henry Cheere, Bart. Old Palace-yard
Sir Charles Cocks, Bart. Cavendish-square
Sir Archibald Edmonstone, Bart. Argyll-street
Sir Herbert Mackworth, Bart. Cavendish-square
Sir George Howard, Knight of the Bath, Grosvenor-square
General Studholm Hodgson
Sir Charles Whitworth, Knt. Foundling-Hospital
Sir John Hawkins, Knt. Hatton-street
Thomas Anguish, Master in Chancery, Great Ruffel-street
Anthony Hamilton, Archdeacon of Colchester, St. Martin's Church-yard

William

William Adair, Pall-mall
 James Adair Soho-square
 Thomas Ayliffe, Wardour-street
 George Allcock, Berners-street
 Richard Bull, Curzon-street, May-fair
 Owen Salusbury Brereton, Soho-square
 Henry Banks, Dukes-street, Westminster
 Robert Butler, Clare-court
 Thomas Bullard, Strand
 Edward Brice, Soho-square
 Levett Blackborne, Margaret-street
 Godfrey Bosville, Great Russell-street
 Joseph Brooke, Bloomsbury-square
 John Brettell, Bedford-row
 John Barnfather, North-street, Red-lyon-square
 Richard Budworth, Lamb's Conduit-street
 Samuel Bonham, Hatton-street
 Benjamin Bartlet, Red-lyon-street
 William Blair, Charles-street, St. James's-square
 Rev. Dr. John Blair, Dean's-yard
 Charles Wolfran Cornwall, Golden-square
 Asheton Curzon, David-street
 James Croft, King-street, Covent-garden
 Thomas Chowne, Frith-street, Soho
 Robert Carey, Hampstead
 Stephen Cole, Twickenham
 Richard Owen Cambridge, Twickenham
 James Clitherowe, Brentford
 Richard Combe, Harley-street
 Thomas Corbett, ———
 George Chapman, ———
 Thomas Cadell, Strand

James Colhoun, Castle-street
 Joseph Clarke, ———
 Thomas Collins, Berners-street
 Thomas Chamberlain, Greek-street, Soho
 William Dickinson, Queen Ann-street
 John Drinkwater, Brentford
 Philip Dyot, Dyot-street
 George Drummond, Great Queen-street
 John Devall, Little Portland-street
 Edward Elliott, Spring-garden
 Anthony Eyre, Clifford-street
 Thomas Fitzhugh, Suffolk-st. Middlesex-Hospital
 William Franks, Percy-street
 John Frere, Bedford-row
 Thomas Gilbert, Queen-street, Westminster
 William Gascoigne, Charlotte-street, St. Pancras
 Charles Gould, Ealing
 Edward Gray, Queen-street, Oxford-street
 William Godfrey, Paddington
 William Gibbard, Parliament-street
 William Harrison, College-street, Westminster
 Thomas Hunt, ———
 Edward Hodfoll, Strand
 Lovelace Hercy, Newman-street
 Edward Holland, Vere-street, St. Mary-le-bon
 John Hagar, Wigmore-street
 Benjamin Harenc, Henrietta-street
 Richard Hulse, Portland-street
 Michael Impey, Hammersmith
 John Johnson, Berners-street
 William Kitchiner, Beaufort-buildings
 Richard Low, King-street, Covent-Garden

John

John Lockwood, Harley-street
 Robert Lewis, Kensington
 Henry Lamb, East Acton
 John Lane, King-street, Covent-garden
 Hans Wintrop Mortimer, Surry-street, Strand
 Thomas Manningham, Jermyn-street
 John Machin, Dean-street, Soho
 John Morton, Pall-mall
 George Mercer, Margaret-street
 Charles Mathews, North Audley-street
 William Pulteney, Bath-house, Piccadilly
 Thomas Pitt, Park-lane
 John Plumtre, Jermyn-street
 Richard Pearce, Millbank
 Harry Parker, Newman-street
 John Powell, Pay-office
 James Paine, Salisbury-street
 Thomas Walley Partington, Brook-street
 Robert Palmer, Great Russel-street
 Milward Rowe, Kensington
 George Stubbs, Parliament-street
 Samuel Seddon, Piccadilly
 James Sayer, Palace-yard
 John Scot, Millbank, Westminster
 John Snow, Queen-street, Westminster
 Geo. Shakespear, Oxford-street,
 James Sherridine, High-street, Marybone
 John Tucker, Abingdon-street
 Geo. Forster Tuffnel, Dover-street
 James Tattersall, Clerk, Covent-Garden
 John Trotter, Frith-street, Soho

James Trotter, Lincoln's-inn

John Tinkler, Bridges-street, Covent-garden

George Vaughan, Strand

Goodson Vines, ———

John Wallinger, Millbank, Westminster

John Wright, Percy-street

Matthew Wyldbore, Parliament-street

John Webb, Henrietta-street, East

William Wright, King-square-court, Soho

Thomas Worley, Scotland-yard

Samuel Wegg, Acton

Sampson Wright, Northumberland-street

Benjamin Wood, Dean-street, Soho, Esqrs.



O F F I C E R S.

CLERK,

Mr. William Ogle, Sewers' Office

SURVEYOR.

Mr. William Rhodes, Great Marlborough-street

ASSISTANT and LABOURER in TRUST.

Mr. Benjamin Talbot, Prince's court, Pimlico.

BAILIFF and CRIER.

Mr. William Holdsworth, Broad Sanctuary,
Westminster

COLLECTORS.

Mr. William Holdsworth, Broad Sanctuary,
Westminster

Mr. George Lewis Glover, No. 22, Wardour-street

TREASURER.

Messrs. Drummonds, Bankers, Charing-cross

N. B. The Courts are holden at Guildhall, Westminster:

A N D

The Sewers' Office is in King-square-court, Soho.

